



February 21, 2001

SENATE BILL No. 351

DIGEST OF SB 351 (Updated February 20, 2001 12:02 PM - DI 75)

Citations Affected: IC 33-16; IC 35-45.

Synopsis: Deceptive advertisement. Prohibits a person who is not an attorney from: (1) soliciting, advising, requesting, or inducing a person to bring an action in court; and (2) receiving compensation, a fee, or a commission. Requires a notary, notary public, notario, or notario publico to include language in an advertisement, in English and the language of the advertisement, that states that the notary, notary public, notario, or notario publico is not an attorney admitted to practice law in the state of Indiana or any other state. Makes violation a Class A misdemeanor.

Effective: July 1, 2001.

Clark, Lewis

January 16, 2001, read first time and referred to Committee on Commerce and Consumer Affairs.

February 20, 2001, reported favorably — Do Pass.

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SB 351—LS 7779/DI 105+



February 21, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 351

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-16-2-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 10. A person who:**

4 **(1) is not an attorney in good standing admitted to practice**
5 **law in Indiana; and**

6 **(2) knowingly or intentionally:**

7 **(A) advertises the person's services in a language other**
8 **than English;**

9 **(B) represents in the advertisement that the person is a**
10 **notary, notary public, notario, notario publico, or another**
11 **designation that indicates in a language other than English**
12 **that the person is a notary public; and**

13 **(C) fails to conspicuously state in the advertisement, both**
14 **in English and in the language of the advertisement, that**
15 **the person is not an attorney in good standing admitted to**
16 **practice law in Indiana;**

17 **commits a Class A misdemeanor.**

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1 SECTION 2. IC 35-45-14-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. A person who is not
3 an attorney and who:
4 (1) knowingly or intentionally solicits, advises, requests, or
5 induces another person to bring an action ~~for damages; in a~~
6 **court; and**
7 (2) in making a solicitation under subdivision (1), directly or
8 indirectly receives any compensation, fee, or commission from
9 the attorney for the solicitation;
10 commits unlawful solicitation, a Class A misdemeanor.

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SENATE MOTION

Mr. President: I move that Senator Lewis be added as second author of Senate Bill 351.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred Senate Bill No. 351, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 351 as introduced.)

SERVER, Chairperson

Committee Vote: Yeas 10, Nays 0.

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